

QUID NOVI

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QUID NOVI

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EDITORIAL

DEAR DOCTOR, I HAVE A LEGAL PROBLEM

by COURTNEY RETTER (Law I)
Co-Editor-in-Chief

I wrote an emotional rant that was intended for the Quid Novi about a month into my first semester at law school. While the content seems slightly outdated in the heart of November, the feelings captured by my words remain as real and raw as ever. And so, in sort of an "ode to first year", I would like to (finally) share the following with the Faculty:

I am self-diagnosed. I am suffering from a from a first year condition called I.F.L.T.D.S.L.S. That's right, I have caught a case of the "I Feel Like The Dumbest Student in Law School". Like many of peers, I applied to McGill knowing fully well that I was suited for the legal environment. I mean, my brother can *definitely* attest to the fact that I am annoyingly opinionated. Suddenly, however, I have no opinions. I am about as vocal as a mime. It is the strangest feeling, really. A professor will ask a question of a student will deliberate on the merit of a justice's reasoning and I will feel an itch in my fingers. My fingers are instructing my hand to lift my arm into the air and signal to the class that I have something to say (I believe the official term is "raise my hand"). My fingers will instead, however, overturn the itch's instructions and scratch my back or click on the facebook chat icon. For whatever reason, I am convinced that whatever it is that I wanted to say has absolutely no relevance to the class. In fact, it is probably ridiculous all together. *Who is this person?*

Nothing makes sense in *law law* land. My books are longer than my desk. I see ratios in recipes. And I can't *estoppe* myself from using legal puns...everywhere. Is it just me, or is anyone else freaked out by the fact that *law is all around you?* I am not talking about parking-ticket-law or student plagiarism protocol (**continued on page 11**).

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Straight from the Horse's Mouth

by TÉO LEROUX-BLACKBURN (LAW II)

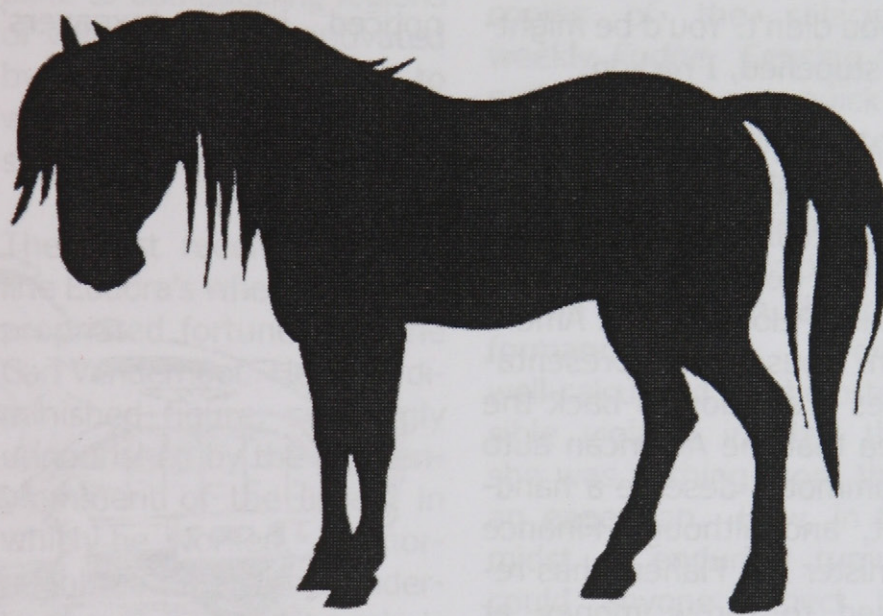
Whoever thought I would find myself defending someone who--potentially, perhaps, maybe, possibly, allegedly--called Canada's first-nations peoples savages? Really, though...me? It was an absurd thought, which for several days had my head spinning. Not only from the absurdity of it, but from what I perceived to be the acute unfairness of being forced to wage a war that wasn't really mine.

When the room stopped spinning and there was no more denying the fiasco strewn before me, I was faced by the jumble of my convictions and the potentially crippling weight of my actions. I had some serious thinking to do: about the power of words and the scope of individual action; about the difference between being bullied and being conciliatory; about the responsibility of public office and the possibility of the apolitical. About native rights...

Though I had absolutely no claim to--nor, I must confess, a particular interest in--weighing in on the issue of Chancellor Pound's comments prior to the sabotage of MESLA's event two weeks ago, in the end I found myself in a privileged position to assess the diverging claims. To my surprise, I was unconflicted about the issue. As my research progressed and my knowledge of the topic deepened, I became an ardent supporter of the Chancellor, and foursquare against the campaign calling for his

resignation. Not because of what he'd said, but because of what others were saying about him.

This culminated in my presence at SSMU council last Thursday, awaiting the motion calling for his resignation. Sitting at that meeting brought back some memo-



ries. This is my sixth year as a member of the McGill student body, and my third as a student representative. I have found this community to be truly motivating. The level of discourse its members can engage in, resulting in a true exchange of ideas, has consistently impressed me. This is a place where you are truly enriched by diverging views, and improved by your opponent. Nowhere is this more patent than in our Faculty, and I was proud to be sitting at SSMU as one of its members.

Proud, but appalled. I listened as the 'radicals' outlined their plan. There was no way that this motion would result in the Chancellor's resignation, they said,

but the most drastic measure had to be taken in order to ensure that the clearest message was sent to the public. There was no doubt that the Chancellor would be willing to engage in discussion with the student body, but since the controversy now had the ear of the public it was crucial to wield it most forcefully. It wasn't even about the Chancellor, they claimed, who was most probably not a racist. It was a tactic. It was about making a symbol of a man in the name of a movement.

It was about censuring a man to denounce oppression. The irony of this may have been lost on them, but it was not lost on me...

I have recently been political collateral. An organization I had put much work into and an event to which I had attached my name were derailed, trampled, and denigrated. Throughout it all, I was told, it was not about me. The very people that were showing me the greatest disrespect I have been shown in recent memory told me, "It's bigger than you." It's about Oppression, it's about Intolerance, it's about Racism. Or, my personal favourite, it's about Re-

spect.

You cannot make a political statement at the expense of an individual, and then turn around and say that you are doing it in the name of human dignity and compassion. The former presumes an instrumental view of a fellow human being, of their work, of their opinion. If you cannot make a political impact without steamrolling your fellow community member, I say don't make it at all. But if you must, because of your deep political convictions, because you've exhausted all other avenues, because there is no other way, then have the decency to admit your exploitation. Because it becomes about them.

The fact that the radical left is framing this debate using the language of inevitability and compulsion is an insult to the level of awareness and intelligence of their community. It is not only facetious to claim that we need publicly shame our Chancellor as a means of alleviating systemic racism, it is a gross underestimation of the power and astuteness of this society. The McGill student body has a real opportunity to provide a forum for meaningful exchange between its most and least powerful members. We are incredibly privileged to have all the tools at our disposal to contribute constructively to the struggle of Canadian first-nations peoples. As such, we have an obligation to play a more sophisticated role in resolving the issue at hand, and—quite frankly—no excuse not to.

This world may not be a place where you can reach out and engage your opponent in dialogue. It may

leave you no choice but to use tactics as a first line of offense. But this community does. This community is better than that. I know this, because despite the sleepless nights and residual grumpiness, I feel incredibly privileged to have experienced the last two weeks. I have been challenged beyond measure by conversations with my fellow students and, above all, by those with whom I fervently disagreed. I have been forced to assume my preconceptions and find the courage of my convictions. I have been prevented from dismissing others without first listening to them, and have found strength in my own flexibility. I am much better for it.

So, I know. I know this community has something better to offer than intolerance in the name of tolerance...

Addendum: Interestingly enough, no one has asked me about my thoughts regarding the Chancellor's actual statements, and my views regarding their depiction of Canada's first-nations peoples. Please feel free to. I'm proud to say that I've become much more informed about them, and I thank those who compelled me to study them closely. To the fellow law student who said: "Sometimes, it is thrust upon you..." I reply, you were right. Thanks. Though I could have gone without the condescending tone and the accompanying haughty glare...

Market Mutterings

by JER LEWSAW (LAW I)

Imagine how stupefied you might be if a salesman whose product you just refused to buy followed up your refusal by asking if you'd like to buy the whole company instead. Or better yet, if he proposed that you write a cheque to him so that he could continue running his failing company with its crappy products, and claimed that you would be heartless if you didn't. You'd be mightily stupefied, I reckon.

This is, however, more or less what the North American auto industry is now asking its governments to do. Nancy Pelosi and the American House of Representatives are ready to back the idea that the American auto mammoths deserve a hand-out, and although Finance Minister Jim Flaherty has refused to throw money at their Canadian plants so far, pressure will no doubt continue to wring money from Ottawa's pockets too.

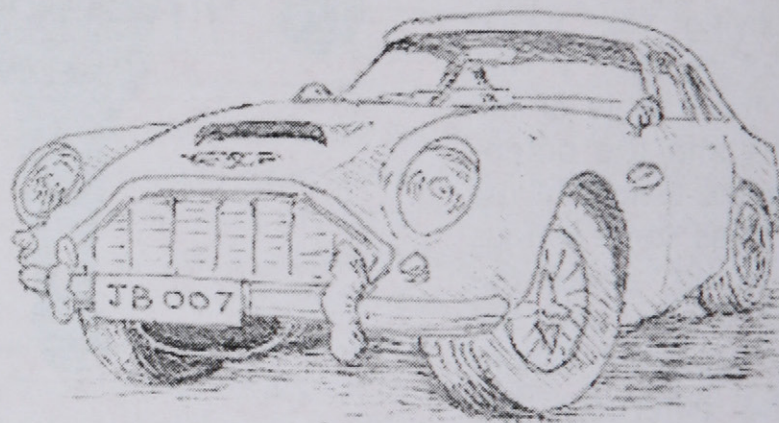
In my opinion, there are basically two types of government subsidy for industry. The first type, temporarily helping young and growing companies which offer promise for international competitiveness in their market, I have no issue with. The second, propping up failing and uncompetitive companies, I do.

Is there a disappearing market for automobiles? Despite high gas prices, there really isn't. The growing Chinese and Indian middle classes means a steadily increasing demand for cars year after

year. Why then are GM, Chrysler and Ford on the brink of bankruptcy? What the Detroit Three didn't appreciate is that the market for gas-guzzling colossus vehicles is shrinking. Their problems started with poor management and worked their way through terrible product offerings and ridiculously high labour costs. None of these, you will have noticed, is the taxpayers'

angry-fired-worker-in-the-street interviews.

Artificially supporting a failed company is simply the worst possible form of welfare. It means paying to keep people in their jobs at a company which makes products that the market already didn't want before the company became a ward of the state. Managers whose strategies have already proven hapless



problem. While the Wall Street bailout could at least be justified on the premise that the global financial system could fail if they did, it's hardly as though there aren't decent car companies out there.

Sure, there will be job losses if these companies fail. The fact that this is the worst possible excuse that one can possibly imagine for a government to prop up a failing company doesn't stop governments from being suckered by it. This is obviously because job losses mean stories on the local news with

now have their inflated salaries paid by your taxes and have even less incentive to care about their performance than before. If we want to pay people to work, we would be better off by starting to repair our rapidly crumbling North American infrastructure, not by backstopping broken companies.

Love and Debt

by STEFAN SZPAJDA (LAW II)

In which we learn of Eudora DiMeola and her peculiar habits; introducing Carl Vanderhoof and a drift toward the unseemly; relativism and profits to be made!

Eudora DiMeola was both a pragmatist and a *bonne vivante*, though not necessarily in that order. Plagued by bouts of conscience on a Monday, she'd recklessly exceed whatever misdeed prompted it on Tuesday, and thus be rid of the initial remorse by Wednesday. Thursday, it follows, wrought its own upheavals, but Friday never failed to supply the antidote. Of course, that didn't bode well for Saturday, which furnished the climax of Eudora's debauched weekly calendar. Not one to subvert the standard norms of classical narrative, the dénouement came on Sundays, when she liked nothing more than hot water with lemon, and pilfering unwholesome periodicals from the local library. This latter transgression would launch the cycle anew, ensuring fresh trysts with questionable judgment.

Despite her dubious moral code, there was little to distinguish Eudora from the other women in her forgettable windswept town. Yes, she was uncommonly beautiful and well-versed in Spinosa. True, she could out-shimmy Al Jolson, and she once famously trounced Bobbie Fischer at both checkers and chess (the former with considerably more cursing on Mr. Fischer's part). But these august assets took their place on a ledger

dwarfed by its dour counterpart of bombastic liabilities. Lavish parties, expensive clothing, high-risk investments, and a tendency to over-tip set the pale of her personal freedom. Her lifestyle, incompatible with the mundane demands of her pedestrian surroundings, sought sustenance from the vitality of unwitting victims; she brought soldierly discipline to bamboozling legions of willing naïves, captivated by her charm and eager to witness her much vaunted snooker game.

The most recent spoke to line Eudora's wheel of misappropriated fortune was one Carl Vanderhoof. He cut a diminished figure, seemingly unnourished by the lofty environment of the library in which he worked. A thoroughbred simpleton, Vanderhoof was inclined to mimic the sleeves of books that he was tasked to maintain. His antics bred consternation among the other librarians, who feared reprisal from angry booklovers. Their anxiety proved prophetic; Vanderhoof eventually suffered a broken nose when his ill-fated appendage met with the clenched fist of a concerned citizen, who found his jarring *tableau* performances vulgar and shocking. Barred by nature from deducing the advantages of discontinuing his act, he returned to work with fresh resolve and immediately set about improving upon his routine. With the aforementioned attacker now safely behind bars, Vanderhoof was free to experiment with form and technique. His skills devel-

oped steadily, and though notably south of princely, his manner concealed the troubled bumpkin upbringing which would otherwise mar his speech and hygiene.

It was in the midst of his callous rendition of Gogol's "The Tale of How Ivan Ivanovich Quarreled with Ivan Niki-forovich" that Vanderhoof's fate was wedded to Eudora's. His tenacious interpretation of the controversial goose pen sent shockwaves through the downstairs reading room, where Eudora was busy stuffing her pants with copies of the salacious weekly *Fudge*. Sensing opportunity, she was quick to praise the budding actor's temerity, who initially perceived her effusiveness as bloodlust. His stoic determination to sustain the performance proved well-calculated, as the ostensible violator insisted that she was nothing more than an eager fan. How, in the midst of enduring tumult, could anyone expect the poor Vanderhoof to resist Eudora's wiles? Routinely hovering inches above ruinous impoverishment, she was accustomed to skirting bankruptcy through recourse to such deception and intrigue. Her disarming smile reassured him as it had so many others, that friendship and not peril lay squarely ahead. Vanderhoof was witness to a production long in the making, seamless not spontaneous, and brewed with the finest hops. His capitulation carried an air of inevitability.

Eudora's genius resided in her auto-malleability. By inclination, she was fiercely independent, bored with the mores which would have defined her had she not rejected them. But when it

suited her needs, she could match society's expectations with simulated candor. She was trained from infancy in the art of confidence, with no use for overbearing and under stimulating reality. Educated by her successful and robotic parents, she came to maturity in the shadow of their micro-managed love. At times unable to distinguish their affection from the incessant prodding of a peckish grizzly bear, she could not help but develop a throbbing guilt complex, the effects of which she would later attempt to eradicate from her life. Drawn by ends and dismissive of painstaking means, Eudora was more comfortable suffering from guilt than want.

How to materialize her desires without compromising her staunch commitment to unencumbered individuality? The constant ethical *pas de deux* provoked lingering anxiety. But it shaped her, and where others may have succumbed to the pressure and the tension, she flourished amidst the vast opportunities for exploitation crafted by modern life. Forever a relativist, she was given to fatalist remarks on – among many topics – the state of network television, equating premature syndication with her habitual larceny and fraud. She thus solved her problems by pretending that they did not exist, downgrading her transgressions via admittedly shaky analogies. Convinced that her pastiche philosophy was both novel and persuasive, she did not bother to challenge its assumptions. Combining Nietzschean nihilism with Lockean labour theory, she devalued before she endeavoured to possess.

Vanderhoof, poor Vanderhoof. He needed love and she needed money. He didn't have money, and she didn't have love. But his simple life bought easy credit, and in exchange for his credit she emulated love. Promising to read aloud to him, to walk with him, to show him a pretty little town forty miles away where they could rent kayaks, she conflated giving and taking like never before. Vanderhoof, of course, did not share her taste in books, preferred to take the bus, and had a morbid fear of water. Thanks all the same, he told her, between anecdotes about his latest triumph at Dungeons and Dragons; their incompatibility was manifest. Aggravating as they could be, however, in their totality these moments cost less than the abandonment of her amorality. As far as beguiling arrangements go, this — dear reader — was a good one.

II In which Eudora plays Paul on the road to Damascus; a new face, and a clever rouse!; a scene of brief yet climactic violence; finally, moral quandary, resolved in a manner not altogether satisfying to the seasoned reader

Anyone of mediocre breeding with passing familiarity of manners can marshal the strength to mask their intentions for a short and precarious while. To do so indefinitely requires more than cojones; if it is to succeed, sustained and systemic deception must be laundered, made legitimate through ritual or intention. Emboldened by her success, Eudora risked unveiling her-

self before Vanderhoof. If she were indeed somehow discovered, the delicacy of the situation would come to the fore. This would adversely impact her livelihood in both the long and short terms, a prospect that did not sit well with Eudora.

Yet the Vanderhoof situation had been too lucrative and persistent to merely discontinue, and now it grew too complex to maintain. Adopting the posture of confession and disavowal, she acknowledged her past and swore only good things would come in the future. After careful consideration and the weighing of terrifying alternatives, Vanderhoof chose trust and faith and predictability. She had won his pity, which soon became love. Eudora now proceeded with his full, albeit dimly lit, consent. Despite the unorthodox beginning, their relationship became much like any other. It soon became apparent that in order to wind down, Eudora's story required a less skilled antagonist, one so singularly reprehensible as to flirt with one-dimensionality.

Enter Jeremiah Hill, the flagrant externalization of Eudora's worst clandestine elements. She had once had, it would appear, an accomplice. No less given to avarice, Jeremiah lacked her brains and came up short with the brawn; an ineffectual hammer to her immaculate, precise scalpel. His mousey and frail appearance deferred any hope of reconciliation with nature, and he remained determined to unload his palpable woes crassly, without her folksy charm. Unspeakably cruel, he was weak beyond words. But these features made him hungry and reckless, the per-

fect patsy should the need arise, a low-maintenance source of revenue in the interim. Their blossoming partnership was cut short, however, by his poor attention to detail, and proclivity toward arrest. (The latest coming at the heels of an altercation following a disappointing performance of *Richard III*). Her only regret was the sudden severance of access to his bustling network of petty thieves and malcontents, who had been her staple and were sorely missed.

Upon his release from prison, Jeremiah learned of Eudora's recent success in the extortion business. Wounded by her failure to call or write while he was away (the reader will recall that Jeremiah truly was a weak man), he grew convinced that by right a portion of her earnings would be his. No slouch in the revenge department, he took to the task of securing a percentage with laudable spirit. Meticulous in his designs, he fretted over the details of the planned acquisition as a conscientious duck might over a fellow duck found woefully down on his luck. There was, however, a disconcerting imprecision to his language, such that when he muttered "I'm going to kill you," one was never fully certain of the words' meaning. Did he intend to do so immediately? Would the blow come swiftly, or strongly? Or was he more the careful stalker-type, waiting for signs of ripeness in the ever passing moment in order to fell his unsuspecting adversary?

A student of 19th century Robber Baron tactics, Jeremiah decided upon a vertical integration model and

sought to acquire Vanderhoof directly. Own the capital, he reasoned soundly, and reap the rewards. Posing as a paperback peddler, he tricked the barely capable librarian with promise of fresh material for his burgeoning career as a street mime. The burlap sack he carried as a prop, ostensibly filled with Penguin Classics, was just large enough to contain the aspiring victim. After an exchange of pleasantries, peppered with references to local politicians (*viz.* their wives) to appropriate funeral attire, the assault was set in motion.

Eudora's *de facto* personal banker fought valiantly for his unenviable freedom. Convinced that his attacker was but another irate booklover seeking to defend the integrity of a cherished author, he repeatedly articulated his rights as a performance artist to reimagine the Great Works of European litera-toor. While this confused Jeremiah, who persevered with the blows, it did not subvert his purpose. Despite the precariousness of the situation, for two men so unaccustomed to physical exertion their panicked entanglement proved comically uncoordinated. Punches melted into slaps, kicks descended into spasmodic flutters, and growls faded into yelps. As the somewhat less effete Vanderhoof appeared to gain ground over his greedy and malnourished attacker, the latter sputtered an offer to the dumbstruck Eudora, who was now positioned to intervene. "Help me shove him in that sack," pleaded Jeremiah, "and you're back on the network." These words glistened like coins and rang like the bells of intoxicating opportunity.

Career Development Office

by HELEN NOWAK (LAW II)

Eudora inched toward cooperation, hypnotized by the blossoming pecuniary bulb. Contemplating impending victory, Jeremiah felt his strength grow. Now each man risked making the other redundant, strangling away with churlish abandon.

Torn between self-defeating love and self-actualizing corruption, embodied so neatly in the men entangled before her, Eudora watched her slate run clean as they clutched each other's throats. Their deaths would bring her freedom - that Sunday morning ritual of purification - achieved this time through total eradication. No lingering passive dependence, no destructive attachment to a man unworthy of the title. Freedom, the only kind of freedom that the strength of solitude can bring, was one more shade of blueish purple away. I can stop this, she knew. She held the ballot which appropriately cast could end the life of the less worthy man, enabling the other to slip back into her constructed reality. A calculated risk, not unlike so many she'd taken before. But it now seemed distinct from those distant choices, made with the confidence of deluded moral certainty. She remained silent and walked away. Fate, simple, stupid, unjustifiable fate told her to do so.

I'm not sure whether my head was in the sand last year or whether I was just trying to keep it above water during my first year of law school, but I was oblivious to the resources available in the Faculty to help me prepare for the job market once I graduate. I was not thinking about what I could be doing to improve my job search skills so that once I graduate I can find work.

This year, however, has been quite different. I consciously made the choice to become informed about skills that are very basic, but that I never really learned about, talked about or truly understood how to do.

(WARNING: As I write this I am aware that many people in the Faculty have been able, over the years, to take advantage of the Career Development Office (CDO) of their respective undergraduate/graduate university, and that some people have an innate sense of how to network, interview and approach their job search. I, however, am not one of these people and this article is directed to those students (whom I believe may be numerous) who don't know where to start, feel embarrassed that they don't already know what everybody else seems to know, and/or can't figure out what they need help with, much less how to ask.)

So what did I find in the Faculty to help me figure out what I probably should have learned before?

First, it is never too late to

learn this stuff and it is incredibly important not to feel shy or embarrassed about visiting Catherine Bleau or Lianne Barski at the CDO. In fact, I recommend scheduling an appointment or just walking into the 4th floor CDO office in order to browse the available resources. Of course, this may not be your priority right before exams, but at the beginning of next semester or sometime over the summer, it would be useful to check out, for example, the CDO's book collection. Topics range from legal career interviewing techniques, to funding sources for graduate studies in law, to directories of law firms in specific cities, to books about getting a career in international affairs or family law. There really is a variety of topics and it is worthwhile, at the very least to know what is available (for a listing of all books in the CDO office, visit the *Myfuture* website and click on the Documents Tab, under Career Resources, Law - Library Collections).

The CDO also offers resume writing help and a mock interview program so that you can develop your job search skills. The recent introduction of *Myfuture* is also extremely helpful as it provides information about job postings, Faculty events, graduate opportunities, bar information and a variety of other career resources. Keep an eye out for monthly workshops, information sessions and occasional career days that are all aimed to provide students with a variety of options to consider when contemplating potential career avenues.

(Note: The Common Law and Civil Law Career Days are coming in January, the Public Interest Career Day is in February and the US Career Day is in March).

One recent event that I found helpful was Lights and Links, which was co-organized by the Centre for Human Rights and Legal Pluralism and the CDO office. The event was aimed at providing students who are interested in participating in a summer internship with the opportunity to speak with upper year students about their recent experiences as interns.

Apart from having the opportunity to ask questions to people who had participated in the Faculty Human Rights Internships, to which I had applied, I was also happy to simply network with other students. Since I am a person who dreads the idea of being placed in a large social gathering with people I do not know and on whom I feel I'm supposed to leave a positive impression, I was relieved to be surrounded by a bunch of people I had previously talked to in classes or on committees. As a result, it sort of felt like an opportunity to *practice* networking skills.

Speaking of practicing networking skills, if there was one learning experience that I had to highlight following the Lights and Links event, it would be that it is all right to talk about myself. This might sound crazy, but even though I have no trouble enumerating my volunteer experiences, academic

strengths and other accomplishments on paper, I have a very hard time highlighting these same things orally. Even in front of my best friends and family. In fact, if anything, I tend to downplay my role in achieving goals or I negate the impact of my involvement in community activities. Generally speaking, I do this because I think that people are not interested in what I have to say and that they'll perceive me as being self-centered and egotistical.

But at the Lights and Links event, as Professor Rene Provost gave introductory remarks, he spoke directly to this insecurity. He explicitly stated that people are interested in what you have to say and that we should not be self-conscious about talking about ourselves. In fact, he told us that we *should* speak about ourselves *because* others are interested in hearing about our experiences.

At first, this didn't register. But then, next to me, I heard wonderful Sarah Goldbaum say (and I'm not sure whether this was to me or to herself, or maybe even that I was imagining her talking) something to the effect that it was good to hear him say this because it is something we often forget. And at that moment, I felt reassured that my insecurities are also others' insecurities. Consequently, I made the decision to take the risk and start talking, at least a little bit, about myself.

The point of my relaying this story to the entire population of the Faculty is that I recognize that at every event there is an opportunity to improve on one's skills, and maybe even to take a little snippet

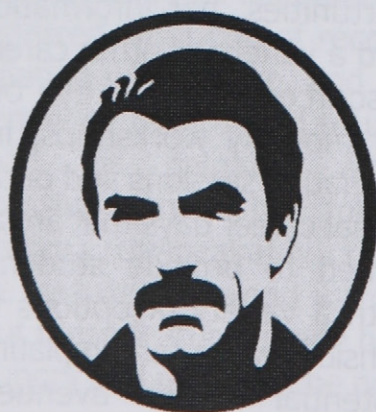
of what someone says, and apply it to one's personal experiences in order to take a step forward in developing work-related capabilities.

That being said, I will sign off on this Quid submission (which may be more of a discussion about myself than advice for other people – see, I really am taking Prof. Provost's advice!!).

But before I do sign off I want to remind all of you that all students can now pick up their copy of the CDO career guides at the 4th floor office. They are:

1. The Public Interest Career Guide
2. The International Law Career Guide
3. The Graduate Studies Career Guide
4. The Legal Employment Handbook

Each of these guides offer detailed advice and listings of potential internship, job or graduate study opportunities. In addition, there is practical advice about putting an application package together and funding possibilities. To get your copy of these guides, please visit the CDO office with your student ID.



Sporting the Mo

by Hinda Rabkin (LAW IV)

Change is indeed upon us. And it makes me cringe. As I take the tram to uni, as I walk down Brunswick Street in Fitzroy, even as I shop for groceries, I see change everywhere. I look at my friends and I don't even recognize them anymore. I knew it was going to happen, but I never thought it would be like this. The month of Movember is here.

Yes, Movember – not a typo – is a movement that takes place every November when men are encouraged to grow a moustache (the mo). Guys of all facial hair-growing age in Melbourne are flocking to join the movement. From the guy in the skinny jeans, chequered shirt, and leather vintage shoes, with the very neat and groomed moustache, to the businessman, to the American backpacker, to the construction worker, everyone is getting on board. So far however, it seems that the hipsters and young business associates are growing mo's in the highest numbers. A friend of mine, Mark from Singapore, is also growing a mo – but he says it's to highlight his freedom from the army. He's also not cutting his hair while he's here.

I know I shouldn't cringe. Firstly, moustaches, on rare occasions, do look good on men (shout-out to Prof. de Mestral!). Secondly, it's for a great cause. Movember is an annual charity that raises money and awareness for men's health issues. At the start of Movember, guys register with a clean shaven face. The participants, known as Mo Bros, have the rest of the month to grow and groom their mo, raising

money to benefit men's health – specifically prostate cancer and male depression.

Movember culminates at the end of the month with parties where Tom Selleck and Borat look-a-likes compete for the chance to be named Man of Movember.

And ladies can participate in Movember, as Mo Sistas. These are women who 'support their guys or just love mos!' The cause may be great, but I am definitely not a Mo Sista. Some of the people who come to my café now look like sleazy men from the seventies or Ron Burgundy.

The goals of Movember are certainly admirable. Men have lower average life expectancy than women. Movember tries to change attitudes in Australia about real men being 'tough' – which apparently causes many not to visit a doctor for regular medical check-ups. It also seeks to raise awareness for depression in men, since most don't go looking for the help they need.

The information about Movember is available on the Australian Movember website: www.au.movember.com. Apparently Canada has a Movember chapter as well, but it doesn't seem to have taken off in full force as much as it has in Melbourne. So guys, it's up to you...

As ads everywhere proclaim: 'Together, we remember the month of Movember!' I definitely will. A legion of moustached Melbournians is unfortunately seared into my memory forever.

The Vicissitudes of Life and Law School

by Alison Glaser (LAW IV)

In keeping with my new self-appointed role as the crotchety old woman, I will now proceed to do a crotchety old woman thing: complain. Here are some things that have boggled, astounded, baffled, and pissed me off recently:

The JD/B.C.L. thing

I am really sorry, and I don't mean to offend anyone, but this is totally dumb. First of all, L.L.B. means Bachelor of Laws. It is the degree that anyone graduating in Canada (except the UofT JD people, more on that later) obtain when they graduate, whether it is from a Common Law or a Civil Law program. The B.C.L., as far as I can tell, is a sort of made up degree (by Oxford I think) used to differentiate the L.L.B in Civil Law from the one in Common Law. Thus, people who graduate from the University of Alberta or Université de Montréal all get L.L.Bs, not B.C.L.s, so preserving that degree seems weird. Secondly, I am sorry, but the JD is pretentious. If we implement the JD, how can we then turn our noses up at our Toronto friends and be snooty about them being big American followers? With differential tuition likely on the way, we need some kind of a reminder that we are not the same as our colleagues in Upper Canada. Finally, I hate to say it, but a Law degree is a *Bachelor's* degree. Just because most of us have previous degrees does not change that fact. We spend far too much time in class to be considered Graduate students, so why pretend?

My umbrella got stolen

Ok, this didn't happen all that recently but it is still really upsetting. There was one day when it was crazy raining and I hung my umbrella outside my locker through the lock (since I didn't want it to get the stuff inside all wet). When I came back, it was gone!!!!!! And, let's face it



people, I had looped it through my lock, I had definitely asserted possessory rights over it. You suck umbrella thief. People who steal umbrellas never pass the Bar. So, umbrella thief, you have been warned.

The Quebec election

I am so tired of bloody elections!!!!!! And I am sick of my tax dollars going to support something that won't produce any particularly meaningful results (cuz really, whoever wins they will not care about Montreal, let's

be realistic). And Mario Dumont and his whole thing about how he represents change and a new voice in Quebec City, etc, etc. is maddening. Hello Mr. Dumont! The Quebec people are not stupid! We watched the American election too and know that you are just copying Obama!!!! Grrr. And now some of our exams will be pushed back a day, which,

good points, but they don't get better with constant repetition.

The mid-November stress

Really, this is so annoying. Every year I hit this point in the semester and think "oh crap, there is no way I will get through everything I need to do. It is impossible. I want to cry." Then I don't sleep for days. Then, somehow, it always all gets done, but I can never get over the crazy panic. It's like an automatic reaction or something, like Pavlov's dog. The clocks turn back and I go into panic mode. It is really terrible.

Ok, the ranting is done. Maybe it's because of the weather. Stupid weather. Gah! I promise I will now go eat some chocolate and get in a better mood :)

frankly, just blows.

Long-winded judges

I don't know what it is, but recently I have read a bunch of judgments where I just wanted to bring out a red pen a start cutting like mad. Honestly, some of them act like they are Dickens and get paid by the word. Please please please, if one day you end up clerking for someone (especially McLachlin) try and convince them to edit. Cuz, really, we don't need to read the same thing over and over again. They make

The Immorality of Speaking with One Voice

by LÉONID SIROTA (LAW IV)

A few weeks ago, the LSA's VP-External, Alex Shee, initiated a discussion on the issue of raising tuition fees generally, and specifically of differential tuition. The final stage of this process of consultation is expected to be a referendum in which the student body will take a position on the issues. But, although I appreciate Mr Shee's efforts in reaching out to the students, I believe that holding such a referendum, and describing a position adopted as a result of that referendum as the position of the Faculty's students, is wrong.

This is not because I wish to prevent one specific position from being taken. The issue of differential tuition is contentious, and I have not yet made up my mind on it. However, no matter what conclusion I personally come to, I would not wish to represent it as that of the student body as whole. This is particularly true of the issue of differential tuition, because it seems to me that the outcome of any vote is unlikely to be clear-cut. But even if a vote were to result in a 99% majority on a strong turnout, I would still not wish for my position to be represented as that of the LSA. In fact, I believe that it is morally wrong for a body politic to describe a symbolic statement adopted by a majority vote as its members' position or belief.

A statement such as "the LSA is in favour of differential tuition" is of course purely symbolic. The LSA has no power over the tuition fees set by McGill or by the Ministry of Education; it can

make no policy on the subject. The reason for making such a statement is its symbolism. It is expected, or at least hoped, that a group taking a position and publicizing this fact will influence the people who wield decision-making power.

The symbolic weight such a statement carries depends to a considerable extent on its

prives that position of much of its symbolic power, and is therefore never done.

My objection to this strategy of misrepresenting a position held by a (sometimes narrow) majority as the position held by the whole is that it is, in effect, denying the existence of dissent from that position. The dissenters are being used as means in the

democratic (or for that matter undemocratic) decision-making is vulnerable to this criticism, and that it is therefore at best theoretical, for decisions must somehow be made. I believe that this objection misses the distinction between making policy and taking symbolic positions. When adopting a policy by a majority vote, a body politic is doing just that – adopting a policy. It is not making a statement about its members' beliefs, still less a statement which acquires much of its significance only as a result of glossing over inconvenient facts. A policy's significance lies primarily in its effects, so it matters not whether it was adopted unanimously or by the narrowest of margins. A policy might of course also be symbolically very important, but its symbolism, if any, is but a secondary effect. Unlike that of policy, a resolution's only significance lies in its symbolism, which is dependent on a morally objectionable denial of dissent.

Bodies politic should not be making symbolic statements that represent the beliefs of a majority as those of the body politic itself. Though speaking with one voice may be effective, this strategy relies on an implicit denial of the existence of dissent from the majority's position. It treats dissenters as a means to achieve to majority's ends, and is therefore incompatible with a respect for their human dignity. Speaking with one voice is, in a word, immoral.

It will be objected that any



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service of the majority's objectives, because the majority is taking advantage of the minority's numbers to add more symbolic weight to its position. This goes directly against the Kantian injunction that we always treat other persons as ends in themselves rather than means in accomplishing our own purposes, and, I believe, denies the dissenters' human dignity.

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I am not even referring to the legal order of the queue. I am talking about getting nervous when your grandmother tells you she is going to make a *tart*, and you respond by saying that she will find it more difficult to insure herself against punitive damages arising from her intentional wrongdoing. I see jurisprudence in romantic dramas. *Richard Gere was totally not liable to compensate for the death of his surgery patient in Nights in Rodanthe*. Should I be concerned for my mental health re: *ibid*?

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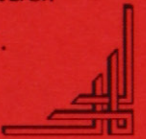
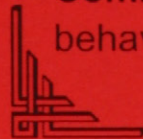
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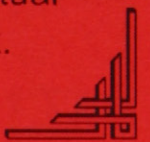
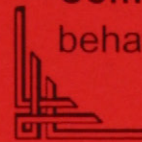
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WEEKLY LUNCH MENU for the LAW FACULTY: EFFECTIVE MONDAY November 17, 2008

<u>MONDAY</u>	<ul style="list-style-type: none"> • Veal Parmesan • Pasta • ½ Pizza, ½ Pasta dish 	\$5.75
<u>TUESDAY</u>	<ul style="list-style-type: none"> • Salmon Filet • Pasta • ½ Pizza, ½ Pasta dish 	\$5.75
<u>WEDNESDAY</u>	<ul style="list-style-type: none"> • Pork Loin • Pasta • ½ Pizza, ½ Pasta dish 	\$5.75
<u>THURSDAY</u>	<ul style="list-style-type: none"> • Sheppard's Pie • Pasta • ½ Pizza, ½ Pasta dish 	\$5.75
<u>FRIDAY</u>	<ul style="list-style-type: none"> • Club Sandwich • Lasagna • ½ Pizza, ½ Pasta dish 	5.75